

FILED 5 OCT '16 16:20 USDC-ORP

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA,

Case No: 3:16-CR-187-MO

v.

SUPERSEDING INDICTMENT

JAMIE FAYE COBAT,

Title 18 U.S.C. § 641

Defendant.

Title 18 U.S.C. § 1343

Title 18 U.S.C. § § 981(a)(1)(C), 982(a)(2)

Title 28 U.S.C. § 2461(c)

THE GRAND JURY CHARGES:

COUNT 1
[Wire Fraud]

I. INTRODUCTION

1. At all times material and relevant herein, the Social Security Administration was a department and agency of the United States, with headquarters located in Baltimore, Maryland.

2. At all times material and relevant herein, Supplemental Security Income (SSI) was a needs-based, welfare benefit, funded by the United States Treasury and administered by the Social Security Administration.

3. At all times material and relevant herein, Supplemental Nutrition Assistance Program (SNAP) benefits, also known as “food stamps”, was a needs-based, welfare benefit, funded by the United States Department of Agriculture in accordance with the Food Stamps Act of 1977, and administered by the Oregon Department of Human Services.

4. At all times material and relevant herein, Temporary Assistance to Needy Families (TANF), was a needs-based, welfare benefit, funded by the United States Department of Human Services, and administered by the Oregon Department of Human Services (DHS).

5. At all times material and relevant herein, Medicaid was the United States health care program for certain people and families with low incomes and resources. Medicaid is a needs-based program that is jointly funded by state and federal government and is managed in Oregon by DHS. When a beneficiary is approved to receive Supplementary Security Income (SSI), they are automatically eligible for Medicaid coverage.

6. At all times material and relevant herein, Defendant was a resident of Oregon.

II. THE SCHEME TO DEFRAUD

7. Beginning in or before March 2005, and continuing through July, 2016, in the District of Oregon, defendant **JAMIE FAYE COBAT** devised and intended to devise a material scheme and artifice to defraud the Social Security Administration, the United States Department of Agriculture, the United States Department of Health and Human Services, and the Oregon Department of Human Services, and to obtain money and property by means of material false and fraudulent pretenses, representations and promises.

8. In or about March 2005, defendant **COBAT** applied to be the Representative Payee for her minor son, B.R.'s SSI benefits. As B.R.'s Representative Payee, **COBAT** was advised by the SSA of her reporting duties and responsibilities that included reporting to SSA if B.R. moved, if his medical condition improved, or if his household composition changed.

9. It was part of the scheme and artifice to defraud that on or before August 1, 2012, defendant **COBAT** directed SSA to deposit the benefits B.R. was receiving to be electronically deposited to a Comerica Bank debit card account controlled by **COBAT**.

10. It was part of the scheme and artifice to defraud that between March 2005, and continuing through July 2016, defendant **COBAT** applied for, and received, benefits administered by the SSA and the Oregon Department of Human Services (DHS) without truthfully disclosing to SSA or DHS her income and resources and her household composition. Specifically:

A. In or before October 2008, defendant **COBAT** caused B.R.'s SSI benefits to be overpaid by failing to accurately report her resources and income to SSA.

B. In or before May 2011, defendant **COBAT** caused B.R.'s SSI benefits to be overpaid by failing to accurately report her resources and income to SSA.

C. In or about August 2012, B.R. moved out of defendant **COBAT**'s household and moved in with his father, R.R. **COBAT** failed to advise SSA that B.R. had moved and continued to receive his SSI benefits.

D. On or about October 4, 2012, defendant **COBAT** advised DHS that her household income had decreased without disclosing that B.R. was no longer living with her. As a result of her false statements and concealments, DHS increased her benefits.

E. On or about January 28, 2013, defendant **COBAT** submitted a Representative Payee annual report to SSA falsely stating that B.R. had resided with her through September 30, 2012.

F. On or about April 30, 2013, defendant **COBAT** submitted an application for TANF and SNAP to DHS falsely stating that R.R. was an “absent father” to B.R., and not disclosing that B.R. was living with R.R., and that R.R. was providing primary care for B.R.

G. On or about October 18, 2013, defendant **COBAT** submitted an application for SNAP to DHS falsely stating that R.R. was an “absent father” to B.R., that B.R. had not lived with R.R. since 2005, and not disclosing that B.R. was living with R.R., and that R.R. was providing primary care for B.R.

H. On or about March 29, 2014, defendant **COBAT** submitted a Representative Payee annual report to SSA falsely stating that B.R. had resided with her through September 30, 2013.

I. On or about October 15, 2014, defendant **COBAT** advised DHS that B.R. was living with her, and failed to disclose to DHS that she had married T.F. and that T.F. was receiving Veteran’s benefits each month.

J. On or about October 17, 2014, defendant **COBAT** failed to disclose to DHS that she was married to T.F. and claimed to be divorced on her SNAP application.

K. On or about October 27, 2014, defendant **COBAT** submitted a Representative Payee annual report to SSA falsely stating that B.R. had resided with her through September 30, 2014.

L. On or about October 31, 2014, defendant **COBAT** advised SSA that B.R.

resided with her, that B.R. received no assistance from anyone else, that her husband T.F. did not reside in her household, and that she had no bank account.

M. On or about May 11, 2016, during her application for her own disability benefits, defendant **COBAT** advised SSA that she had never resided with her husband T.F., and that B.R. had continued to reside with her. As a result of these false statements and concealments, SSA advised **COBAT** that she would receive \$733 per month in SSI benefits and a back-payment in the amount of \$16,799.

11. On or about October 31, 2014, in the District of Oregon, defendant **JAMIE FAYE COBAT**, for the purposes of executing the aforementioned material scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted in interstate commerce by means of wire communications, signals and sounds, to wit: **COBAT** caused electronic communications to move across state lines by causing SSI benefits administered by the Social Security Administration in Baltimore, Maryland, to be electronically deposited onto **COBAT's** Comerica Bank card, which she then withdrew in Oregon.

All in violation of Title 18, United States Code, Section 1343.

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COUNT 2
[Theft of Government Funds]

In or between August 2012, and continuing through November 2014, within the District of Oregon, **JAMIE FAYE COBAT**, defendant herein, did knowingly and willfully steal and convert to her own use, money of the Social Security Administration, a department and agency of the United States, to wit: by receiving Supplemental Security Income benefits in the approximate amount of \$19,247.00, based on fraudulent representations and concealments, all in violation of Title 18, United States Code, Section 641.

COUNT 3
[Theft of Government Funds]

In or between September 2012, and continuing through May 2013, within the District of Oregon, **JAMIE FAYE COBAT**, defendant herein, did knowingly and willfully steal and convert to her own use, money of the Department of Health and Human Services, a department and agency of the United States, to wit: by receiving Temporary Assistance to Needy Families (TANF) benefits in the approximate amount of \$2,845.00, based on fraudulent representations and concealments, all in violation of Title 18, United States Code, Section 641.

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COUNT 4
[Theft of Government Funds]

In or between December 2012, and continuing through October 2014, within the District of Oregon, **JAMIE FAYE COBAT**, defendant herein, did knowingly and willfully steal and convert to her own use, money of the United States Department of Agriculture, a department and agency of the United States, to wit: by receiving Supplemental Nutrition Assistance Program (SNAP) benefits in the approximate amount of \$5,825.00, based on fraudulent representations and concealments, all in violation of Title 18, United States Code, Section 641.

FORFEITURE ALLEGATION

Upon conviction of the offenses alleged in Counts 1, 2, 3, or 4 of this indictment, **JAMIE FAYE COBAT**, defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(2), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.


Dated this 5 day of October, 2016.

A TRUE BILL.

OFFICIATING FOREPERSON

Presented by:

BILLY J. WILLIAMS, OSB #901366
United States Attorney
District of Oregon



HELEN L. COOPER, OSB #871957
Special Assistant United States Attorney